THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): The time allotted to you is already over. And the hon. Minister has to make a statement at 2.00 P.M.

SHRI P.G. NARAYANAN: Sir, this is an important point.

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): You can continue after the statement.

SHRI P.G. NARAYANAN: Okay, Sir.

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): There is a statement by Shri Suresh Pachouri on behalf of Shri Priyaranjan Dasmunsi.

STATEMENTS BY MINISTERS

Amendments Made to Salary, Allowances and Pension of Members of Parliament Act, 1954 and Rules Made thereunder

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SURESH PACHOURI): Mr. Vice-Chairman, Sir, with your permission, on behalf of my senior colleague, Shri Priyaranjan Dasmunsi, I beg to make the following statement regarding the amendments to the Salary, Allowances and Pension of Members of Parliament Act, 1954 and Rules made thereunder.

The Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2006 was notified on September 15, 2006. As per this Amendment Act, the Salary and Daily Allowance of the Members of Parliament were revised to Rs. 16,000/- per month and Rs. 1,000/- per day with effect from September 14, 2006. The other provisions of the Act, namely, revised road mileage of Rs. 13/- per kilometre, revised minimum pension of Rs. 8,000/- per month, revised minimum family pension of Rs. 4,000/- per month etc. were made effective with effect from September 15, 2006.

As mentioned by my colleague during the discussion on this Bill in this House on 24th August, 2006, increase was also proposed in constituency allowance to Rs. 20,000/- per month, office expense allowance to Rs. 20,000/- per month, revision in the ceiling of durable and non-durable furniture

to Rs. 60,000/- and Rs. 15,000/- resepctively, etc. These modifications were to be made effective through amendments to the various rules made under this Act. Some of these amendments like revision in the ceiling of durable and non-durable furniture and extension in the retention period of Government accommodation after the demise of a Member were to be made effective from retrospective dates.

Normally, the rules made under the provisions of this Act are made effective from the date of publication in the Gazette. Hence, the question of giving retrospective effect to some of these facilities was examined in consultation with the Ministry of Law and Justice. The Law Ministry has pointed out that Section 9 of the Salary, Allowances and Pension of Members of the Parliament Act, 1954 relating to the power of the Joint Committee to make rules do not have a provisions for giving retrospective effect to the rules to be framed under the Act and , therefore, these rules if given a retrospective effect will be *ultra vires* of the Act of 1954.

In view of the above, it was decided to notify the rules with prospective effect and to consider the question of amending Section 9 of the said Act to make a provision to give retrospective effect to the rules after following the due procedures.

Sir, the amendments in the rules relating to revised constituency allowance, office expense allowance, etc. have since been notified by the Lok Sabha Secretariat with prospective effect and will be available to the hon. Members of Parliament with effect from 12th December, 2006.

THE CENTRAL EDUCATIONAL INSTITUTIONS (RESERVATION IN ADMISSION) BILL, 2006—*CONTD.*

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Mr. Narayanan, please conclude. Your time is already up. Kindly conclude in one minute.

SHRI P.G. NARYANAN: Yes, Sir.

The Government is going to give 27 per cent reservation to OBCs only out of the increased seats in the educational institutions. Sir, what about the existing seats? There is no reservation at all for OBCs in the total existing seats. Are you really rendering social justice to the OBCs? It is not. So, I demand that 27 per cent reservation to OBCs should be implemented out of our total existing seats.